

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CUNNINGHAM, et al.

Atty. Docket No. 108172-00022

Serial Number: 09/701,395

Filed: December 4, 2001

For: GENES OF CAROTENOID BIOSYNTHESIS AND METABOLISM AND METHODS  
OF USE THEREOF

5/a

**STATEMENT UNDER 37 CFR §1.821(C)**

Commissioner of Patents  
Washington, D.C. 20231

June 2, 2001

Sir:

In accordance with 37 C.F.R. 1.821(c), applicants are submitting herewith the sequence listing for the above-identified application both in paper copy form and in computer readable form.

The name of the file on the computer readable form is 108172-00022-sequence.txt  
The paper copy and the computer readable form are the same.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2300, along with any other fees with respect to this paper.

Respectfully submitted,  
**ARENT FOX KINTNER PLOTKIN & KAHN**



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RJB:ccd